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Newark Crime and Criminals

CRIME IN NEWARK: 1836-1860

In The Making of the English Working Class, E.P. Thompson

wrote

If we are concerned with historical change we must attend to articulate minorities. But these minorities arise from a less articulate majority whose consciousness may be described as being at this time "sub-political" . . . . The inarticulate, by definition, leave few records of their thoughts. We catch glimpses in moments of crisis, like the Gordon Riots, and yet crisis is not a typical condition. It is tempting to follow them into the archives of crime.<sup>1</sup>

The pursuit of the inarticulate into the archives of crime arises both from an effort to understand the roots of social crises and historical change through an understanding of the lives of the inarticulate and from an effort to reconstruct more completely the fabric of a society. As the beginning of an attempt to achieve both these historiographical goals for nineteenth century urban America, this essay will be a study of crime, crime rates, and criminals in Newark, New Jersey from its incorporation as a city in 1836 to the beginning of the Civil War.

The study of crime is complex even in such a relatively pre-industrial time. Determination of the number and types of crime per year is difficult enough, given the condition of the necessary sources. In addition it is necessary to consider the issues of the reliability of the courts and newspapers in reporting crime, the operation of the police apparatus, and the definition of crime in the eyes of contemporaries. Even further, one must consider the various social factors affecting crime, such as the ethnic and racial composition of the pop-

ulation, the economic growth of the community, and the rigidity and extent of polarization that characterized the class structure.

It will be necessary to fully examine these issues before going any further in relating crime to any social movement or in applying an historical test to any of the modern social theories about lower class crime, its origins and its functions. Although it is my ultimate intention to relate criminality to social movements of the nineteenth century and to apply some of the modern social theory to the course of nineteenth century crime, this essay will be restricted to an analysis of the aforementioned issues; it will place crime in the social history of nineteenth century Newark.

The first section of the essay will consist of an economic and demographic description of Newark during the period under study. The reasons for choosing Newark as a location and 1836-1860 as a time period, apart from proximity, arise from the nature of this study. Newark was (and is) the largest metropolitan center in one of the nation's leading manufacturing regions, northern New Jersey. While perhaps not as important a manufacturing center during this period as some other towns (notably Paterson and Passaic), Newark was larger and more diverse than any of them, and was in its own right the center of some major distributive industries, especially leather goods and clothing. In addition, of no small import is the fact that Newark has available official records and other documents that simply do not exist for other locations.

With the completion of the Morris Canal to the west in 1832, and the New Jersey Railroad to the east in 1834, Newark became the hub of the distributive network of northern New Jersey. It does not

do justice to the complexity of Newark to dismiss the city, as is sometimes done, as a suburb of New York. It was a city embodying the conceptual requirements necessary to make a study of urban life, and of crime, meaningful, yet it is not so large as to make a study of the city unfeasible.

Some of the reasons for choosing the years of 1836-1860 were indicated above- the developments in transportation and in population size. Newark grew from 17,000 persons in 1836 to nearly 70,000 in 1860, with the decade of the 1840's being the decade of greatest percentage population growth in the city's history. Growth in population was accompanied by growth in commercial and industrial activity, but this was a growth that was different in quality from the industrial growth of the later nineteenth century. What occurred was not so much an industrial revolution as a transportation revolution, and the resultant social change was not so much the creation of an industrial proletariat as it was the conversion of self-employed craftsmen into wage earning workers employed by large merchant capitalists. This was especially true of the shoe industry, the major industry in Newark. Given my interest in crime throughout the nineteenth century, it seems important to understand this earlier period in light of the peculiar change that characterizes it, apart from the more massive and generally acknowledged changes of the later nineteenth century. In the particular case of Newark, these dates become all the more meaningful because of the incorporation of Newark into a city in 1836, and the concomitant development of city services and agencies. (for our purposes, primarily the police, courts, and welfare organizations), not to mention the beginning of regularized record-

keeping.

The first section will trace the development of the issues mentioned above in greater detail, as well as other related issues such as immigration, especially Irish and German immigration. This section, then, will analyze the social and economic changes Newark was undergoing during this time, locate geographically the various population groups, and industries of the city, and locate occupationally the various population groups in the various industries.

The second section will deal directly with the volume and types of crime in Newark during this period, the criminals, and those aspects of city life directly related to crime. This will include the police, the courts, prisons, welfare and poor-relief agencies, occasions of social unrest, relations among ethnic groups, drink and the temperance movement, and the perceptions of the community about their vulnerability to crime and who the criminals are.

Many of these issues first became of major importance during the period under consideration. The poor house in Newark underwent a major expansion during the 1830's. The first city ordinance establishing a Watch District was passed in the year of incorporation, and the police department was organized formally in 1857. State prison statistics show an increase in inmates from Essex County during this period, a period during which there was almost no increase in the size of the police force despite immense increase in population. There is also an indication of a rise in Irish-born inmates relative to American-born inmates (and many of these may have had Irish born parents), and one is at the same time

struck by an increase in anti-Catholic violence in Newark beginning in the 1830's, surrounding the largely Irish construction gangs working on canals and railroads, and St. Patrick's Day celebrations. One is also struck by the organization of Native American organizations in the 1850's and the protestations of leading Newark clergymen against the lack of church-going and excess of saloon-going by the Irish in the 1850's.

Much of the data about crime will come from primary sources, especially the records of the Newark Police Department, the Newark and Essex County Courts, and the Newark Jail and New Jersey State Prison. Very important also will be various governmental and legislative documents and reports relating to crime and prisons, the two daily Newark newspapers of the time, and the speeches and sermons of leading clergymen.

The foregoing will probably be of sufficient depth and size to constitute a completed master's essay. Although it will not be possible to deal at all with many of the various theoretical considerations about crime and criminality, or at sufficient length with any, some will be encountered and perused along the way. They will include the relationship between the police and the criminal, and the extent to which lower class people (or certain groups of lower class people) are categorized as "criminal types" and therefore are more likely to be arrested and prosecuted - this to serve some social need, such as providing fodder for a burgeoning criminal justice system, or, as is more likely, in order to provide a scapegoat for social ills, or to keep a potentially rebellious group occupied with more immediate concerns. Also to be considered

will be the relationship of criminals to popular disturbances, either as participants or as targets; the effect of economic fluctuations upon crime; the relationship of crime to other kinds of non-criminal behavior, especially the consumption of alcoholic beverages; the questions of juvenile crime, transient or non-resident crime, and crime as a more likely characteristic of second generation Americans rather than of immigrants themselves.

## BIBLIOGRAPHIC ESSAY

Many of the primary source materials that will be necessary for this study have not yet been consulted because of the scattered locations of the agencies-under whose auspices they are stored.

### General Books and Articles about Newark and New Jersey

There are a number of late nineteenth and early twentieth century local histories of Newark. The best is Atkinson - History of Newark. This book is complete with industrial and population statistics for their period until 1873 (on an every ten year basis). The second is Urquhart - History of the City of Newark in two volumes. Included in this book are a number of important studies by other writers on specialized subjects, such as manufactures and immigrant groups. Leary - Newark, New Jersey: A Souvenir of the City and its Numerous Industries is another good, two volume work. It is a bit like an oversized advertising brochure, but none-the-less, useful, especially for the numerous industries. Other early works are Piersen - Narratives of Newark, Pulaski - Municipalities of Essex County, Burr - Narrative and Descriptive Geography of Newark, Riccord - Biographical and Genealogical History of the City of Newark, and publicly published Handbook and Directory of the City of Newark.

More recently published general books include two volumes of the New Jersey Historical Society History of New Jersey Series, Vogel - People of New Jersey and about and Grille - Where Cities Grow: Urbanization of New Jersey. The former book is much more recent. For the nineteenth century and Newark. The Newark Star published a history of the city's growth, Century of Progress in 1912, and among the many unpublished manuscripts in the Newark Public Library is an essay by Samuel Popper - Newark 1870-1910. He also authored one of two very useful unpublished NYU dissertations, History of Education in Newark. The other, and better, dissertation is Bishoff - Public Health in Newark 1832-1915. Finally, important is a small study by Price - The Ironbound District: Study of a Slum in Newark. This focuses upon the neighborhood in Newark which newcoming lower class group wound up settling.

### Local History of Newark

There are few good books or articles specifically on this subject. One of the better is Reilly - Rise and Growth of Manufacturing in Newark which is included in the Urquhart study. The only other historical study is Cadman - The Corporation in New Jersey 1791-1795. Others are Ford - Industrial Interests of Newark, Cunningham - Newark, and three articles, "New Jersey Industry - Looking Backward" in New Jersey Business, April 1959, "Our 100-year Anniversary" in the same journal in April 1958, and "Census Data Reflects Newark Economic Development" in the Review of New Jersey Business. In addition, I found it useful to consult some histories of specific

industries, published by the industries themselves. The two available were Barlow Foundry Inc. - Etch in Iron and P. Ballantine and Sons - 100 Years of Ballantine.

### Social History of Newark

I have not yet consulted any of the books under this heading, but those that will be eventually used include: Tracy - Organized Labor in New Jersey, De Vyver - Organization of Labor in New Jersey since 1860, Penczyk - A Study of Some Conditions of Workers in New Jersey 1878-1888, Schonbach - Radicals and Visionaries - History of Dissent in New Jersey, von Katzler - The Germans in Newark, Rich - Life of James R. Bayley, the first Bishop of Newark, Whitney - Irish Element in Newark in the Journal of American Irish History, 1922, Dougall - The Philanthropies of Newark: A Descriptive Directory, and "Population Growth in New Jersey" in the New Jersey Economic Review 1960.

### Documents and Primary Sources on Newark and the State

The major newspapers of the time will be used extensively in this study. They are:

Newark Daily Advertiser	1834-
Sentinel of Freedom	1825-
Newark Mercury	1847-1863
Newark Journal	1857-
Rose Bud	1840-41
New Jersey Evangelist	1833-34

Also of use will be the Federal Censuses of 1840, 1850 and 1860, the New Jersey State Census of 1855, and Newark City Directories published annually beginning in 1836.

The bulk of the documentary work will be in the records of the Newark Police Department, the Newark and Essex County Courts, and the Newark Jail. The records for this period are incomplete and where they do exist are primarily in handwritten manuscript form.

There are a good number of additional published documents (both governmental and non-governmental) which are important, but not all of them have been collected as yet, those that include publications of the New Jersey Public Welfare Commission - Life in Newark 1610-1944 and One Hundred Years of Newark and of the Newark Female Charitable Society - History of the Society, History of the NPS. Also included are annual reports for various years of the Newark Orphans Asylum, the Essex County Children's Aid Society, the Protestant Episcopal Church Diocese of Newark, the East New Jersey Baptist Association, and the Newark Board of Trade. Others include a Newark Citizens Committee Report on Real Conditions of Newark, Federal Writers Project Reports on Black Civil and Social Agencies - Report of the Newark Board of Trade - Newark: A City and Its People, Newark Chamber of Commerce - Newark: Commerce and Prosperity, 1937 Report of the Morris Canal Board of Directors to the Stockholders, and an anonymous report entitled Historic Sites Connected with the Black Leather Industry.

There are literally hundreds of short, important government publications, more than it would be wise to list here. The most pertinent ones specifically relating to crime are annual reports of the New Jersey State Prison and the reports of periodic committees



Investigating the state prison system; legislative reports on the state's criminal justice system; on the costs of prosecuting criminals; and on capital punishment. Also important are special reports on immigration, textiles, the Morris Canal, and labor; annual reports of the Board of Education and the Department of Health; a History of New Jersey by the State Department of Labor and Industry; and a very important History of the Newark Police Force. General works on Urbanism:

Hour - The Growth of Cities in the Nineteenth Century is probably the standard work on nineteenth century cities, and is invaluable for any study that purports to deal with the subject. This essay is no exception. Other useful general books are Jaher - Age of Industrialism in America; Barnes in Social Structure and Cultural Values and Becker - Triumph of American Capitalism. The theory of an early nineteenth century transportation revolution was first put forward in Commons - "The American Shoreland 1848-1895" in the Harvard Journal of Economics 1909. It has been further developed in Taylor - The Transportation Revolution and later used in such essays as Sloman - "Mobility and Change in Philadelphia" in Theoristron and Sennett - Nineteenth Century Cities.

## Crime

There are many works which can contribute something to the various aspects of the study of crime. The list is constantly expanding.

There are very few good general works on nineteenth century crime. The only comprehensive work is Tobias - Crime and Industrial Society in the Nineteenth Century, which deals with Great Britain but is in some ways useful as a model and guide. Works which consider crime and class are Gordon - "Class and the Economics of Crime" in the Review of Radical Political Economics 1971 and a related as yet unpublished manuscript Victorisz - Armed Forces, Inmates and the Urban Crisis. Also, Wallace - Culture and Personality, Satires - The Social Order of the Film, and Kaplow - "The Culture of Poverty in Paris in the Age of the Revolution" in the International Review of Social History 1967, will be consulted.

More general works about crime and urban life include two articles by Heller - "Urban Crime and Criminal Justice" in the Journal of American History in 1971 and "Crime in 20th Century Chicago" in the Journal of Social History 1970. Another article is Jordan - "Crime Patterns in Boston Since 1849" in the American Journal of Criminology 1967, and a useful book is Montgomery - Beyond the Streets.

Books concerning the growth of nineteenth century police departments are Richardson - The New York Police, Lane - Policing the City: Boston 1822-1885, and Cobb - The Police and the People. Books concerning the growth of prisons in the nineteenth century include McKelvey - American Prisons, Rothman - The Discovery of the Asylum, and Lewis - From Menemore to Menemore: Rise of the Penitentiary in New York 1796-1828.

Valuable insight in criminal statistics and crime reporting was provided by Erikson - Howard Funtzberg, Lane - "Crimes and Criminal Statistics" in the Journal of Social History 1968, and Manner - Crime and Criminal Statistics in Boston 1887-1901.

There are a few outstanding works which begin to draw connections between crime and social movements and disorders. These include Hobbes - Primitive Rebels, Rude - The Crowd in History, Hobbes

and Mado - Deviant Behavior, and Thompson - The Making of the English Working Class. Also useful are works like Goff - May and June, and Lemish - "Back Bar in the Streets" in Bernstein - Control 1968.

Finally, there are many works of modern sociology dealing with crime and deviance that are of importance. They include Downes - The Deviant Solution, Cloward and Ohlin - Delinquency and Opportunity, Cloward - The Sociology of Deviant Behavior, Donald - The Sociology of Subculture, and Wilkins - Social Deviance. Among the numerous articles the most notable are Cloward - "Illegitimate Means, Anomie, and Deviant Behavior" in the American Sociological Review 1959, Miler and Ball - "Anomie and Differential Access to the Achievement of Life Goals" in the ASR 1959, and Barron - "Juvenile Delinquency and American Values" in the ASR 1951.